

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION
4

5 -----) MDL No. 2804

6 IN RE: NATIONAL PRESCRIPTION)

7 OPIATE LITIGATION)

8 -----) Case No. 17-md-2804

9 THIS DOCUMENT RELATES TO:)

10 ALL CASES)

11 -----) Hon. Dan A. Polster

12

13 HIGHLY CONFIDENTIAL

14 SUBJECT TO FURTHER CONFIDENTIALITY REVIEW

15

16 VIDEOTAPED DEPOSITION OF

17 ELLEN WILSON

18

19 January 24, 2019

20

21 Indianapolis, Indiana

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<p style="text-align: right;">Page 2</p> <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5 The videotaped deposition of ELLEN WILSON,</p> <p>6 called by the Plaintiffs for examination, taken</p> <p>7 pursuant to the Federal Rules of Civil Procedure of</p> <p>8 the United States District Courts pertaining to the</p> <p>9 taking of depositions, taken before JULIANA F.</p> <p>10 ZAJICEK, a Registered Professional Reporter and a</p> <p>11 Certified Shorthand Reporter, at the Indianapolis</p> <p>12 Marriott Downtown, Texas Room, 350 West Maryland</p> <p>13 Street, Indianapolis, Indiana, on January 24, 2019, at</p> <p>14 4:40 p.m.</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: right;">Page 4</p> <p>1 APPEARANCES: (Continued)</p> <p>2 ON BEHALF OF CVS INDIANA, LLC AND CVS RX SERVICES,</p> <p>3 INC.:</p> <p>4 ZUCKERMAN SPAEDER LLP</p> <p>5 1800 M Street, NW, Suite 1000</p> <p>6 Washington, D.C. 20036</p> <p>7 202-778-1800</p> <p>8 BY: R. MILES CLARK, ESQ.</p> <p>9 mclark@zuckerman.com</p> <p>10 PAUL B. HYNES, JR., ESQ.</p> <p>11 phynes@zuckerman.com</p> <p>12</p> <p>13 ON BEHALF OF ENDO HEALTH SOLUTIONS INC., ENDO</p> <p>14 PHARMACEUTICALS INC., PAR PHARMACEUTICAL COMPANIES,</p> <p>15 INC.:</p> <p>16 BAKER HOSTETLER</p> <p>17 Key Tower</p> <p>18 127 Public Square, Suite 2000</p> <p>19 Cleveland, OH 44114-1214</p> <p>20 216-861-6486</p> <p>21 BY: TERA N. COLEMAN, ESQ. (Telephonically)</p> <p>22 tcoleman@bakerlaw.com</p> <p>23</p> <p>24 ON BEHALF OF WALMART INC.:</p> <p>25 JONES DAY</p> <p>26 77 West Wacker Drive</p> <p>27 Chicago, Illinois 60601-1692</p> <p>28 312-269-4164</p> <p>29 BY: CHRISTINE D. PROROK, ESQ.</p> <p>30 (Telephonically)</p> <p>31 cprorok@jonesday.com</p> <p>32</p> <p>33 ALSO PRESENT:</p> <p>34 KAITLYN EEKHOFF, Law Clerk,</p> <p>35 Motley Rice LLC</p> <p>36 THE VIDEOGRAPHER:</p> <p>37 MR. ANTHONY MICHELETTO,</p> <p>38 Golkow Litigation Services.</p>
<p style="text-align: right;">Page 3</p> <p>1 APPEARANCES:</p> <p>2 ON BEHALF OF THE PLAINTIFFS:</p> <p>3 MOTLEY RICE LLC</p> <p>4 28 Bridgeside Boulevard</p> <p>5 Mt. Pleasant, South Carolina 29464</p> <p>6 843-216-9250</p> <p>7 BY: MICHAEL E. ELSNER, ESQ.</p> <p>8 melsner@motleyrice.com</p> <p>9</p> <p>10 ON BEHALF OF THE PLAINTIFFS:</p> <p>11 WEISMAN KENNEDY & BERRIS CO LPA</p> <p>12 1600 Midland Building</p> <p>13 101 Prospect Avenue</p> <p>14 Cleveland, Ohio 44115</p> <p>15 216-781-1111</p> <p>16 BY: DANIEL P. GOETZ, ESQ.</p> <p>17 dgoetz@weismanlaw.com</p> <p>18</p> <p>19 ON BEHALF OF AMERISOURCEBERGEN CORPORATION and</p> <p>20 AMERISOURCEBERGEN DRUG CORPORATION:</p> <p>21 JACKSON KELLY PLLC</p> <p>22 500 Lee Street East, Suite 1600</p> <p>23 Charleston, West Virginia 25301-3202</p> <p>24 304-340-1018</p> <p>25 BY: JILL McINTYRE, ESQ. (Telephonically)</p> <p>26 jmcintyre@JacksonKelly.com</p> <p>27</p> <p>28 ON BEHALF OF CARDINAL HEALTH, INC.:</p> <p>29 ARMSTRONG TEASDALE LLP</p> <p>30 7700 Forsyth Boulevard, Suite 1800</p> <p>31 St. Louis, Missouri 63105</p> <p>32 314-621-5070</p> <p>33 BY: SARAH E. HARMON, ESQ.</p> <p>34 sharmon@ArmstrongTeasdale.com</p>	<p style="text-align: right;">Page 5</p> <p>1 INDEX</p> <p>2</p> <p>3 WITNESS: PAGE:</p> <p>4 ELLEN WILSON</p> <p>5 EXAM BY MR. GOETZ..... 7</p> <p>6</p> <p>7 *****</p> <p>8</p> <p>9 EXHIBITS</p> <p>10 CVS - WILSON EXHIBIT MARKED FOR ID</p> <p>11 No. 1 Handwritten drawing 87</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>

<p style="text-align: right;">Page 6</p> <p>1 THE VIDEOGRAPHER: We are now on the record. My 2 name is Anthony Micheletto. I am a legal vid -- 3 videographer for Golkow Litigation Services. 4 Today's date is January 24th, 2019. The 5 time is 4:40 p.m. as indicated on the video screen. 6 This video deposition is being held in 7 Indianapolis, Indiana, in the matter of In Re National 8 Prescription Opiate Litigation, before the 9 United States District Court for the Northern District 10 of Ohio, Eastern Division. 11 Our deponent is Ellen Wilson. 12 Will counsel please identify yourselves 13 for the video record. 14 MR. GOETZ: Dan Goetz for the Plaintiffs. 15 MR. ELSNER: Michael Elsner for the Plaintiffs. 16 MS. HARMON: Sarah Harmon for Cardinal Health. 17 MR. CLARK: Miles Clark for Zuckerman Spaeder on 18 behalf of CVS Indiana, LLC, CVS RX Services, Inc., and 19 the witness. 20 MR. HYNES: Paul Hynes from Zuckerman Spaeder, 21 LLP, on behalf of CVS Rx Services, Inc., CVS Indiana, 22 LLC, and the witness. 23 THE VIDEOGRAPHER: Our court reporter today is 24 Juliana Zajicek.</p>	<p style="text-align: right;">Page 8</p> <p>1 And you also have a hard stop at 6:30, 2 correct? 3 A. Yes. 4 Q. Okay. We will do our best to be done and 5 if we are not done, then we'll figure out some way to 6 continue this testimony, okay? 7 A. Okay. 8 Q. What is -- if I ask you a question and you 9 don't understand it, please tell me. 10 A. Okay. 11 Q. And -- and I will rephrase it. 12 And by the same token, if you answer the 13 question, I'll assume you understood it. 14 Fair enough? 15 A. Yes. 16 Q. How far did you go in school? 17 A. Just Grade 12. 18 Q. Okay. 19 A. 12th grade. 20 Q. I -- 21 A. Can you not hear me? 22 Q. Because of the fan being right over me, 23 I -- I might need you to speak up a little. 24 A. Okay.</p>
<p style="text-align: right;">Page 7</p> <p>1 Please swear in the witness. 2 MS. MCINTYRE: Do you -- do you want to know who 3 is on the phone? 4 THE VIDEOGRAPHER: Yes, please. 5 MS. MCINTYRE: This is Jill McIntyre from 6 Jackson Kelly on behalf of AmerisourceBergen Drug 7 Corporation. 8 MS. PROROK: And this is Christine Prorok from 9 Jones Day on behalf of Walmart. 10 (WHEREUPON, the witness was duly 11 sworn.) 12 ELLEN WILSON, 13 called as a witness herein, having been first duly 14 sworn, was examined and testified as follows: 15 EXAMINATION 16 BY MR. GOETZ: 17 Q. Ms. Wilson, my name is Dan Goetz, and we 18 met briefly before this. 19 It is my understanding you had a death in 20 the family recently, correct? 21 A. Correct. 22 Q. I -- I can't tell you how much I 23 appreciate you changing your schedule and being here 24 today and accommodating us.</p>	<p style="text-align: right;">Page 9</p> <p>1 Q. To 12th grade? 2 A. True. 3 Q. And when did you graduate? 4 A. 1989. 5 Q. And after you graduated, where did you go 6 work? 7 A. After high school? 8 Q. Yes. 9 A. I had my daughter, so I didn't work. 10 Q. Okay. What was your first job after high 11 school? 12 A. Phar-Mor. 13 Q. And -- and what did you do at Phar-Mor? 14 A. I was a cash register -- cashier. 15 Q. And -- and how long were you there for? 16 A. About three years. 17 Q. And from when to when? 18 A. From '9 -- I had her in '90, so that would 19 be '91 to '94. 20 Q. And what did you do after Phar-Mor? 21 A. While I was still at Phar-Mor, I went to 22 C -- or it would have been Hooks at -- in '93. 23 Q. And what did you do at Hooks? 24 A. I went to -- I started out in Flow 2 as a</p>

<p style="text-align: right;">Page 10</p> <p>1 order filler for probably six months and then I went 2 up to the Rx department. 3 Q. And Hooks, that facility eventually became 4 a CVS facility, is that correct? 5 A. Yes, it was. It went from Hooks to Revco 6 to CVS. 7 Q. And -- and when did it become a CVS 8 facility? 9 A. I'm not sure. 10 Q. Do you have an idea? 11 A. No. 12 Q. Okay. And in '93 when you went to Hooks 13 Drugs and you said you were a Flow 2 order filler? 14 A. Yes. 15 Q. What is that, just briefly? 16 A. It was a flow module that held toothpaste, 17 tooth brushes, mouth wash, shampoo. That was it. I 18 think that was it. 19 Q. And -- and then you said you went to R -- 20 the Rx department? 21 A. The Rx department, yes. 22 Q. Does that mean you were in the cage? 23 A. No. I started out in one of the flow -- 24 one of the picking aisles in -- up in Rx.</p>	<p style="text-align: right;">Page 12</p> <p>1 drugs? 2 A. No. 3 Q. Okay. What did it hold? 4 A. It hold -- held hydrocodone, testosterone, 5 I can't even -- I don't even know the name of some of 6 the drugs in there. 7 Q. Anything else you can remember? 8 A. The names of the drugs? 9 Q. Yes. 10 A. No. 11 Q. In -- in '96 when you started in the cage, 12 what training did you receive? 13 MR. HYNES: Objection to form. 14 Go ahead. 15 BY THE WITNESS: 16 A. I received training from a lady named 17 Charlotte Rucker in there. She trained me on what to 18 do. 19 BY MR. GOETZ: 20 Q. Was it training on the job? 21 MR. HYNES: Objection to form. 22 BY THE WITNESS: 23 A. Yes. 24 BY MR. GOETZ:</p>
<p style="text-align: right;">Page 11</p> <p>1 Q. And how long were you there? 2 A. In the Rx department? 3 Q. Yes. 4 A. From '93 until six months ago. 5 Q. What happened six months ago? 6 A. I went to inventory control. 7 Q. There is a controlled substances cage at 8 the CVS Indiana distribution warehouse? 9 A. Yes. 10 Q. Okay. When did you start working in that 11 cage? 12 A. In '96, December of '96. 13 Q. And you worked in that cage until when? 14 A. Six months ago. 15 Q. Okay. And that controlled substances 16 cage, generally what does it hold when we talk about 17 controlled substances? 18 A. There -- there is all kinds of drugs, 19 hydrocodone, testosterone, anything that you need a -- 20 when you go to the doctor's office and they have a 21 little pad, any kind of controlled drug is what they 22 have in there. 23 Q. Am I correct that that controlled 24 substance cage at CVS held Schedule III, IV and V</p>	<p style="text-align: right;">Page 13</p> <p>1 Q. How long did you work with Charlotte 2 Rucker after she trained you? 3 A. Two months. Probably two months because 4 she retired. 5 Q. From -- from '96 until 2014, September 6 of 2014, can you tell me any other training you 7 received other than that training on the job by 8 Charlotte Rucker? 9 MR. HYNES: Objection to form. 10 BY THE WITNESS: 11 A. What other kind of training. No, I -- no. 12 I -- the supervisor would come in if there was, like, 13 a new procedure, by new procedure I mean they would 14 type out a form and it said step for step what to do 15 in that cage and it would hang on the board for 16 anybody that came in there. We would -- they would 17 teach -- we would review it step for step exactly what 18 to do when you were in the cage. 19 BY MR. GOETZ: 20 Q. First, who was your supervisor in 2006? 21 A. Steve -- I believe it was Steve Campbell. 22 Steve -- we had two supervisors, Steve Campbell and 23 Robert Richardson. 24 Q. And who was the supervisor in 2007?</p>

<p style="text-align: right;">Page 14</p> <p>1 A. I'm not sure what year Steve left the 2 company, but then we went to Gary Lamberth and Dan 3 Deaton. 4 Q. And how long were they your supervisor? 5 A. Gary Lamberth was from, I'm not sure 6 exactly when he started there, but he recently left 7 the company. 8 Q. Was -- was Gary Lamberth your supervisor 9 from around 2007 through September of 2014? 10 A. I believe so. 11 Q. When you said when there was a new 12 procedure they would type it up and put it on a -- on 13 the -- on a board, a bulletin board, is that what you 14 said? 15 A. A bulletin board, yes. 16 Q. What type of procedure are you talking 17 about? 18 A. It's exactly what they expect out of you 19 every single day as far as, like, when you pick up the 20 order exactly what to do with the -- what to do with 21 that when you pick up the order and when you pick it 22 and when you send it to the checker and then you give 23 it to the checker and they scan the items and then 24 after they scan the items what to do, how to tie it</p>	<p style="text-align: right;">Page 16</p> <p>1 said -- 2 A. It has always been in effect. 3 Q. Okay. The written procedures have? 4 A. Yes. 5 Q. And so you -- you have to then tell me 6 more generally what they said? What did they say? 7 MR. HYNES: Objection to form. 8 BY THE WITNESS: 9 A. On the -- as far as you want to know what 10 the paper said? 11 BY MR. GOETZ: 12 Q. Yes. 13 A. I don't recall. 14 Q. Okay. There has been testimony in this 15 case that there were no written policies or procedures 16 governing suspicious order monitoring until August 17 of 2010, okay. 18 A. Um-hum. 19 Q. Am -- am I understanding you to say that 20 that's not correct? 21 MR. HYNES: Objection to form, lack of 22 foundation. 23 BY THE WITNESS: 24 A. I don't know exactly what year that went</p>
<p style="text-align: right;">Page 15</p> <p>1 up, how to stack it, and where to push it in that 2 procedure. 3 Q. And -- and -- and how often would these 4 procedures come out? 5 MR. HYNES: Objection to form. 6 BY THE WITNESS: 7 A. I'm not sure. 8 BY MR. GOETZ: 9 Q. Do you -- do you know what a -- a -- a 10 huddle guide is? 11 A. No. 12 Q. Okay. Did any of these procedures from 13 '06 until September of '14 deal with suspicious order 14 monitoring? 15 A. Yes. 16 Q. Okay. When did those come out? 17 A. From the day that I started in the cage, 18 Charlotte emphasized that until the time I left the 19 cage. 20 Q. Okay. Charlotte then? 21 A. Charlotte would. 22 Q. I'm -- I'm asking about the written -- 23 A. Oh, the written. 24 Q. -- these written procedures that you</p>	<p style="text-align: right;">Page 17</p> <p>1 into effect, but I've known across the board since the 2 day that I started in that cage there has always been 3 a suspicious order, if you think that that order is 4 too big or if it's a -- a red flag, you are to call 5 Sherri. 6 BY MR. GOETZ: 7 Q. I -- I'm not asking you about what the 8 procedure was, I'm asking about written procedures. 9 When you said -- 10 A. Oh. 11 Q. -- that there are written procedures they 12 would post on a bulletin board, what -- my question is 13 about written procedures governing suspicious order 14 monitoring and -- and what your job is as -- in the 15 cage as it relates to that. 16 So that -- do you understand my question 17 is from -- from 2006 until September of 2014, what 18 written procedures governing suspicious order 19 monitoring in your job specifically in the cage do you 20 remember? 21 A. I don't -- 22 MR. HYNES: Objection to form. 23 Go ahead. 24 BY THE WITNESS:</p>

<p style="text-align: right;">Page 18</p> <p>1 A. I don't remember.</p> <p>2 BY MR. GOETZ:</p> <p>3 Q. So you don't -- when we were talk -- you</p> <p>4 said there's procedures, you were talking about you</p> <p>5 just knew what to do?</p> <p>6 A. Yes.</p> <p>7 MR. HYNES: Objection.</p> <p>8 BY MR. GOETZ:</p> <p>9 Q. People had told you what to do, Ms. Rucker</p> <p>10 had told you what to do?</p> <p>11 A. Uh-huh.</p> <p>12 MR. HYNES: Objection to form.</p> <p>13 BY MR. GOETZ:</p> <p>14 Q. Is that correct?</p> <p>15 A. Yes.</p> <p>16 Q. And -- and maybe other people, your other</p> <p>17 supervisors had told you what to do?</p> <p>18 MR. HYNES: Objection to form.</p> <p>19 BY THE WITNESS:</p> <p>20 A. Yes.</p> <p>21 BY MR. GOETZ:</p> <p>22 Q. Okay. In 2006, how many pharmacies did</p> <p>23 the Indiana distribution center service?</p> <p>24 A. I don't know.</p>	<p style="text-align: right;">Page 20</p> <p>1 Q. What about in 2008?</p> <p>2 A. No.</p> <p>3 Q. What about in 2009?</p> <p>4 A. No.</p> <p>5 Q. What about in 2010?</p> <p>6 A. No.</p> <p>7 Q. What about in 2011?</p> <p>8 A. No.</p> <p>9 Q. What about in 2012?</p> <p>10 A. No.</p> <p>11 Q. What about in 2013?</p> <p>12 A. No.</p> <p>13 Q. What about in 2014?</p> <p>14 A. No.</p> <p>15 Q. Can you tell me -- you -- you left the</p> <p>16 cage six months ago. What about in 2018?</p> <p>17 A. No.</p> <p>18 MR. HYNES: Objection to form.</p> <p>19 BY MR. GOETZ:</p> <p>20 Q. Do you know who -- who Gary Milikan is?</p> <p>21 A. Yes.</p> <p>22 Q. Mr. Milikan testified that from '06 to '14</p> <p>23 there were approximately 1500 pharmacies served, 1500</p> <p>24 in 2006 and it stayed the same.</p>
<p style="text-align: right;">Page 19</p> <p>1 Q. Do you have a guess?</p> <p>2 MR. HYNES: Objection; asked and answered.</p> <p>3 BY THE WITNESS:</p> <p>4 A. No.</p> <p>5 BY MR. GOETZ:</p> <p>6 Q. Do you have an estimate?</p> <p>7 MR. HYNES: Objection; asked and answered, calls</p> <p>8 for speculation.</p> <p>9 BY THE WITNESS:</p> <p>10 A. No.</p> <p>11 BY MR. GOETZ:</p> <p>12 Q. Well, you -- you filled the orders,</p> <p>13 correct, for all of the pharmacies that were receiving</p> <p>14 controlled substances from the Indiana distribution</p> <p>15 center?</p> <p>16 MR. HYNES: October to form.</p> <p>17 BY THE WITNESS:</p> <p>18 A. Yes.</p> <p>19 BY MR. GOETZ:</p> <p>20 Q. And -- and you -- you -- you have no idea</p> <p>21 how many there were in 2006?</p> <p>22 A. No.</p> <p>23 Q. What about in 2007?</p> <p>24 A. No.</p>	<p style="text-align: right;">Page 21</p> <p>1 Do you disagree with that amount?</p> <p>2 MR. HYNES: Objection to form, lack of</p> <p>3 foundation.</p> <p>4 You may answer.</p> <p>5 BY THE WITNESS:</p> <p>6 A. I really don't know.</p> <p>7 BY MR. GOETZ:</p> <p>8 Q. In 2006, how big was the cage?</p> <p>9 MR. HYNES: Objection to form.</p> <p>10 BY THE WITNESS:</p> <p>11 A. Like the square footage, I don't know.</p> <p>12 BY MR. GOETZ:</p> <p>13 Q. Could you draw it?</p> <p>14 MR. HYNES: Objection to form.</p> <p>15 BY MR. GOETZ:</p> <p>16 Q. Could you?</p> <p>17 A. In 2006, yes.</p> <p>18 Q. Would you draw it for me, please?</p> <p>19 A. Should I -- I mean, I -- if -- are you</p> <p>20 asking for square footage on the sides?</p> <p>21 Q. I'm asking for -- for some idea if the</p> <p>22 cage is the size of a football field or if the cage is</p> <p>23 the size of -- of this room or a bathroom? I'm trying</p> <p>24 to get some idea as to the size of that cage in 2006</p>

<p style="text-align: right;">Page 22</p> <p>1 and then we'll go -- my understanding, Mr. Hynes can 2 object, that that cage underwent one change at least 3 from '06 to '14 and we'll talk about that, okay? 4 A. Okay. 5 (Indicating.) 6 Q. Thank you. 7 THE WITNESS: I'm sorry. 8 MR. HYNES: No, you're fine. 9 BY MR. GOETZ: 10 Q. May I come over there and ask you some 11 questions? Do you mind if I look over your shoulder? 12 A. No. Go ahead. 13 MR. GOETZ: Do you mind, Mr. Hynes? 14 MR. HYNES: No. 15 BY MR. GOETZ: 16 Q. Where -- where this says holding cage 17 right here? 18 A. Um-hum. 19 Q. Is -- is that, like, a separate cage? 20 A. This -- there was a door right here. 21 Q. Wait. Could you -- could you put where 22 there is a door? 23 A. There is a door about right in here. 24 Q. Okay. And so you -- you wrote door,</p>	<p style="text-align: right;">Page 24</p> <p>1 those racks? 2 MR. HYNES: Objection to form. 3 BY THE WITNESS: 4 A. They are pretty -- well, yeah -- no, they 5 are not really at -- I wouldn't say at, like, Home 6 Depot. They are dark blue and they have shelves on 7 them that kind of lean like this and the merch -- and 8 they put the merchandise on and it kind of slides down 9 to the end and there's, like, a lip right here that 10 keeps the bottles, the merchandise and the boxes from 11 falling down onto the floor and then -- 12 BY MR. GOETZ: 13 Q. So be -- before we continue -- and this is 14 helpful -- Mr. Milikan had testified that there were 15 pallets somewhere. 16 MR. HYNES: Objection; lack of foundation. 17 Go ahead. 18 BY MR. GOETZ: 19 Q. Where there pallets somewhere in there? 20 A. Yes, there are pallets. 21 MR. HYNES: Same objection. 22 BY MR. GOETZ: 23 Q. Could you show those pallets, please? 24 A. The pallets were back here.</p>
<p style="text-align: right;">Page 23</p> <p>1 correct? 2 A. Um-hum. 3 Q. And so what was the holding cage? 4 A. It was after you stood in these two 5 locations right here and you put -- 6 Q. Wait. So you need to put -- we are going 7 to try and show a jury some day, so you need to mark 8 those, please. 9 A. This is a picking station right here. 10 Q. Could you fill that in with "picking 11 station"? 12 A. I mean a checking -- checking location, 13 because the picking rack was here and on this side. 14 This is a -- this is where the merchandise was at. 15 Q. So that -- that picking rack is full of 16 all of the products in the cage? 17 A. Yes. 18 Q. Okay. And are there two racks? 19 A. Yes, because you walked in a U to pick the 20 stuff. You started here and worked your way down and 21 you went in a cir -- in a -- 22 Q. And -- and -- and when we talk about 23 racks, I'm -- I'm envisioning something like what we 24 see at Home Depot or what -- what do they look like,</p>	<p style="text-align: right;">Page 25</p> <p>1 Q. Could you label those pallets, please. 2 A. (Indicating.) 3 Q. And -- and are those what -- what I 4 envision standard wooden pallets with product on top 5 of it? 6 A. Yes. 7 MR. HYNES: Objection; form. 8 BY MR. GOETZ: 9 Q. They would be moved by a forklift? 10 A. Yes. 11 Q. Okay. How big do you think those pallets 12 are? 13 MR. HYNES: Objection to form. 14 BY THE WITNESS: 15 A. I don't know. 16 BY MR. GOETZ: 17 Q. Would you be -- and -- and would you be 18 picking product off the pallets or would the pallets 19 be used to re-stack the picking racks? 20 A. They would be merchandise that needed to 21 go on the picking rack. 22 Q. Okay. And as part of your job, would you 23 also move product from the pallets to the picking 24 rack?</p>

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1 A. No. That was the stocker's job.
 2 Q. Okay. So there was a picker, a packer and
 3 a stocker in the cage?
 4 A. We had two pickers and two checkers and
 5 then we had one guy that stocked.
 6 Q. And would the guy stock at night?
 7 A. No. It was during the day when we were
 8 there.
 9 Q. Okay. So there were -- typically there
 10 were up to five people sometimes in this cage, and we
 11 are talking about 2006, okay?
 12 A. Yes.
 13 Q. Okay. And so you had -- what is a holding
 14 cage? That's how we kind of started talking about
 15 this.
 16 A. After we got done standing here scanning
 17 the totes that people had picked, you would stack them
 18 on top of a roller and then you would go through this
 19 door and put them in order of the batches and they'd
 20 stack them right here. And then when they called off
 21 batches, like Batch 1 is on the line, you would unlock
 22 this gate, put it on the conveyor system that was out
 23 here, and then you would lock it back and go back
 24 around the corner to your picking station.

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1 Q. So -- and so this what you wrote, can I
 2 write "gate," may I write "gate"?
 3 A. Yes.
 4 Q. That would be correct?
 5 And so the holding cage where the
 6 completed totes that had already been picked, had
 7 already been checked, and were now ready to go to
 8 shipping?
 9 MR. HYNES: Objection to form.
 10 BY MR. GOETZ:
 11 Q. Is that correct?
 12 A. Yes.
 13 Q. How -- how big -- this up -- this area up
 14 here, I'm going to label it A, how long do you think
 15 that was?
 16 MR. HYNES: Objection to form.
 17 BY THE WITNESS:
 18 A. I don't know.
 19 BY MR. GOETZ:
 20 Q. Do you have an eye -- any idea?
 21 A. No.
 22 Q. Was it the length of a football field?
 23 A. No.
 24 Q. How much shorter than a football field?

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1 A. I would say it held -- six pallets could
 2 go before it -- you had an open space and then you
 3 went to the picking rack.
 4 Q. Okay. So you had -- on the left you could
 5 hold six pallets?
 6 A. Um-hum.
 7 Q. And then a picking rack. How long was the
 8 picking rack?
 9 A. I don't know.
 10 Q. How -- how long relative to the pallets?
 11 MR. HYNES: Objection to form, asked and
 12 answered.
 13 BY THE WITNESS:
 14 A. I don't know.
 15 BY MR. GOETZ:
 16 Q. Okay. Down on the bottom, I'm going to
 17 label this B, so down above B where that picking rack,
 18 all of that space is, what is that?
 19 MR. HYNES: Objection to form.
 20 BY THE WITNESS:
 21 A. This area had a shelf that was too high
 22 and the stocker could stand behind the -- behind this
 23 picking rack and as he was cutting open the boxes, he
 24 could lay it on there so that he had a place to cut

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1 that stuff open, but on the first level and on the
 2 third level of this pick -- or shelving would hold
 3 merchandise that went on to backups.
 4 BY MR. GOETZ:
 5 Q. So am I correct that down here under B
 6 there would be more shelving?
 7 A. Yes.
 8 Q. Could you -- could you put that in there,
 9 please?
 10 A. (Indicating.)
 11 Q. And that shelving would also hold
 12 additional product for the stocker to put onto the --
 13 to the picking racks?
 14 A. Yes.
 15 Q. And the sliding doors, is that where the
 16 product came in?
 17 A. Yes.
 18 Q. Okay. How -- how tall were the picking
 19 racks?
 20 Thank you, Ms. Wilson.
 21 How tall were the picking racks?
 22 A. I'm not sure.
 23 Q. How tall were the shelving racks?
 24 A. I'm not sure.

<p style="text-align: right;">Page 30</p> <p>1 Q. How tall was the cage?</p> <p>2 A. I'm not sure.</p> <p>3 Q. Do you have any idea?</p> <p>4 A. No.</p> <p>5 Q. Mr. Milikan testified that he thinks the</p> <p>6 cage -- strike that.</p> <p>7 That 2006 cage underwent some changes, am</p> <p>8 I correct?</p> <p>9 A. Yes.</p> <p>10 Q. When did it undergo changes?</p> <p>11 A. I don't know.</p> <p>12 Q. Do you have an idea?</p> <p>13 A. No.</p> <p>14 Q. Mr. Milikan testified that it was after</p> <p>15 2008 but before 2012.</p> <p>16 Does that help you at all?</p> <p>17 MR. HYNES: Objection to form, lack of</p> <p>18 foundation, asked and answered.</p> <p>19 BY THE WITNESS:</p> <p>20 A. I don't know.</p> <p>21 BY MR. GOETZ:</p> <p>22 Q. You have no idea when it underwent a</p> <p>23 change?</p> <p>24 A. No.</p>	<p style="text-align: right;">Page 32</p> <p>1 Q. So are you telling me that before they</p> <p>2 expanded the cage, they had two cages?</p> <p>3 MR. HYNES: Objection to form.</p> <p>4 BY THE WITNESS:</p> <p>5 A. No. The -- the controlled drugs were in</p> <p>6 this cage and then they had a whole other area for all</p> <p>7 of the other Rx merchandise.</p> <p>8 BY MR. GOETZ:</p> <p>9 Q. Okay. And so they -- that's why I said,</p> <p>10 when they expanded the cage size, they added more</p> <p>11 products into the cage?</p> <p>12 A. No. When we moved downstairs they added</p> <p>13 more space to the whole Rx department, but in the</p> <p>14 cage, they made the cage bigger downstairs, but it was</p> <p>15 just for the controlled drugs in that cage.</p> <p>16 Q. When they made the cage bigger, they did</p> <p>17 not add additional products to the cage?</p> <p>18 MR. HYNES: Objection to form.</p> <p>19 BY THE WITNESS:</p> <p>20 A. Not at the beginning.</p> <p>21 BY MR. GOETZ:</p> <p>22 Q. All right. When did they do that?</p> <p>23 MR. HYNES: Objection to form.</p> <p>24 BY THE WITNESS:</p>
<p style="text-align: right;">Page 31</p> <p>1 Q. Do you know what it did to the size of the</p> <p>2 cage when it changed in -- when it changed?</p> <p>3 MR. HYNES: Objection to form.</p> <p>4 BY THE WITNESS:</p> <p>5 A. It added more space.</p> <p>6 BY MR. GOETZ:</p> <p>7 Q. By a factor of what?</p> <p>8 MR. HYNES: Objection to form.</p> <p>9 BY THE WITNESS:</p> <p>10 A. We -- they moved the cage from upstairs --</p> <p>11 they moved the whole Rx department from the upstairs</p> <p>12 to downstairs to give us more space.</p> <p>13 BY MR. GOETZ:</p> <p>14 Q. So they -- they moved the -- when you say</p> <p>15 the -- they moved the whole Rx department, what are</p> <p>16 you talking about?</p> <p>17 A. All of the picking racks and the -- all of</p> <p>18 the -- yeah, the modules, all of the picking racks</p> <p>19 because we had five and they moved us all downstairs</p> <p>20 to two.</p> <p>21 Q. I don't understand what you are saying.</p> <p>22 Did -- did they add more products into the</p> <p>23 cage?</p> <p>24 A. No.</p>	<p style="text-align: right;">Page 33</p> <p>1 A. I'm -- I don't know.</p> <p>2 BY MR. GOETZ:</p> <p>3 Q. I'm -- I'm -- so I'm just trying to</p> <p>4 understand, and I know you are in a rush and -- and</p> <p>5 I'm trying to abide -- Mr. Milikan testified --</p> <p>6 Mr. Hynes can object -- that the cage expanded because</p> <p>7 they added the PSE items, pseudoephedrine?</p> <p>8 A. At first the cage moved downstairs, PSE</p> <p>9 stayed upstairs in the -- which this old area, that's</p> <p>10 where PS -- they picked PSE for a very short period of</p> <p>11 time. I can -- I don't know the timeframe, but I know</p> <p>12 they stayed up there. And then --</p> <p>13 Q. When -- when -- when you say -- I'm sorry.</p> <p>14 MR. HYNES: Let her finish with the question.</p> <p>15 BY MR. GOETZ:</p> <p>16 Q. Go ahead.</p> <p>17 A. They stayed upstairs because they</p> <p>18 didn't -- when they first built the cage downstairs</p> <p>19 for the controlled drugs, they left the PSE because</p> <p>20 they wanted them to be separate, so that's why they</p> <p>21 left them upstairs and moved us downstairs.</p> <p>22 And then they redid the cage again and</p> <p>23 made it so that a conveyor went down the middle of the</p> <p>24 cage, they kept controlled drugs on one side, PSE side</p>

<p style="text-align: right;">Page 34</p> <p>1 on the other side.</p> <p>2 Q. In 2006 where was the cage?</p> <p>3 MR. HYNES: Objection to form.</p> <p>4 BY THE WITNESS:</p> <p>5 A. I don't know.</p> <p>6 BY MR. GOETZ:</p> <p>7 Q. You don't know if it was on the second</p> <p>8 level or the first level?</p> <p>9 A. I don't know for sure.</p> <p>10 Q. That cage you just drew, was that at --</p> <p>11 at -- to the best of your recollection what the cage</p> <p>12 looked like in 2006?</p> <p>13 MR. HYNES: Objection to form.</p> <p>14 BY THE WITNESS:</p> <p>15 A. Yes.</p> <p>16 BY MR. GOETZ:</p> <p>17 Q. Okay. And where was that cage?</p> <p>18 A. That was upstairs.</p> <p>19 Q. That was upstairs?</p> <p>20 A. Um-hum.</p> <p>21 Q. When did the cage move to the first floor?</p> <p>22 A. I don't know.</p> <p>23 Q. You have no idea?</p> <p>24 A. No.</p>	<p style="text-align: right;">Page 36</p> <p>1 A. No.</p> <p>2 Q. '14?</p> <p>3 A. No.</p> <p>4 Q. Okay. How many products were in the cage</p> <p>5 in 2006?</p> <p>6 A. I don't know.</p> <p>7 Q. You have -- I mean, you -- you were in</p> <p>8 there from 1996 until 2014, correct -- or until six</p> <p>9 months ago, correct?</p> <p>10 A. Yes.</p> <p>11 Q. All right. Do you know how many products</p> <p>12 were there in 2007?</p> <p>13 MR. HYNES: Objection to form. Asked and</p> <p>14 answered.</p> <p>15 BY THE WITNESS:</p> <p>16 A. No.</p> <p>17 Q. What about in 2008?</p> <p>18 A. No.</p> <p>19 Q. What about in 2009?</p> <p>20 MR. HYNES: Same objection.</p> <p>21 BY THE WITNESS:</p> <p>22 A. No.</p> <p>23 BY MR. GOETZ:</p> <p>24 Q. What about in 2010?</p>
<p style="text-align: right;">Page 35</p> <p>1 Q. That cage that you just drew, did that</p> <p>2 cage contain hydrocodone combination products?</p> <p>3 A. It contained just the controlled by</p> <p>4 itself.</p> <p>5 Q. And -- and what did -- are hydrocodone</p> <p>6 combination products part of the control?</p> <p>7 A. Yes.</p> <p>8 Q. Do you know what else consisted of, in</p> <p>9 2006, part of the control group other than hydrocodone</p> <p>10 combination products?</p> <p>11 A. No.</p> <p>12 Q. What about in 2007?</p> <p>13 A. No.</p> <p>14 Q. What about in 2008?</p> <p>15 A. No.</p> <p>16 Q. What about in 2009?</p> <p>17 A. No.</p> <p>18 Q. What about in 2010?</p> <p>19 A. No.</p> <p>20 Q. What about in 2011?</p> <p>21 A. No.</p> <p>22 Q. What about in '12?</p> <p>23 A. No.</p> <p>24 Q. '13?</p>	<p style="text-align: right;">Page 37</p> <p>1 MR. HYNES: Same objection.</p> <p>2 BY THE WITNESS:</p> <p>3 A. No.</p> <p>4 BY MR. GOETZ:</p> <p>5 Q. What about in 2011?</p> <p>6 MR. HYNES: Same objection.</p> <p>7 BY THE WITNESS:</p> <p>8 A. No.</p> <p>9 BY MR. GOETZ:</p> <p>10 Q. What about in 2012?</p> <p>11 MR. HYNES: Same objection.</p> <p>12 BY THE WITNESS:</p> <p>13 A. No.</p> <p>14 BY MR. GOETZ:</p> <p>15 Q. 2013?</p> <p>16 MR. HYNES: Same objection.</p> <p>17 BY THE WITNESS:</p> <p>18 A. No.</p> <p>19 BY MR. GOETZ:</p> <p>20 Q. 2014?</p> <p>21 MR. HYNES: Same objection.</p> <p>22 BY THE WITNESS:</p> <p>23 A. No.</p> <p>24 BY MR. GOETZ:</p>

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1 Q. Can you tell me how many products were in
2 there six months ago?
3 A. No.
4 Q. Do you remember the cage changing between
5 2006 and 2014? Do you remember that there were
6 changes to the cage?
7 MR. HYNES: Objection; asked and answered.
8 BY THE WITNESS:
9 A. Yes.
10 BY MR. GOETZ:
11 Q. All right. What changes do you remember
12 occurring?
13 MR. HYNES: Objection; asked and answered.
14 BY THE WITNESS:
15 A. We moved from -- I believe we moved from
16 the upstairs to the downstairs during that pie -- time
17 period, but I don't know the exact year we moved.
18 BY MR. GOETZ:
19 Q. Okay. Any -- anything else that you
20 remember?
21 A. No.
22 Q. When you moved downstairs, did the
23 configuration change -- did the configuration of the
24 cage change?

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1 A. The configuration, you mean the size?
2 Q. Yeah, or the shape or if there were four
3 rows of -- of picking racks or anything related to
4 that.
5 MR. HYNES: Objection to form.
6 BY THE WITNESS:
7 A. It was just bigger. The picking racks
8 were the same, there were still two. He had more
9 space for pallets. And they had a lot more shelving.
10 BY MR. GOETZ:
11 Q. A lot more shelving.
12 A. Um-hum.
13 Q. There has been testimony that -- that
14 Mr. Milikan thought that the cage size doubled?
15 MR. HYNES: Objection.
16 BY MR. GOETZ:
17 Q. Is that consistent with your memory?
18 MR. HYNES: Objection to form, lack of
19 foundation.
20 BY THE WITNESS:
21 A. I don't remember.
22 BY MR. GOETZ:
23 Q. Okay. In -- in 2006, how many people were
24 in the cage?

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1 MR. HYNES: Objection; asked and answered.
2 BY THE WITNESS:
3 A. I don't remember.
4 BY MR. GOETZ:
5 Q. In 2007 how many people were in the cage?
6 A. I don't remember.
7 Q. In 2008 how many people were in the cage?
8 A. I don't remember.
9 Q. What about in 2009?
10 A. No, I don't remember.
11 Q. 2010?
12 A. I don't remember.
13 Q. '11?
14 A. I don't remember.
15 Q. '12?
16 A. I don't remember.
17 Q. '13?
18 A. I don't remember.
19 Q. '14?
20 A. I don't remember.
21 Q. Other than Sherri Hinkle -- do you know
22 who Sherri Hinkle is?
23 A. Yes.
24 Q. Who is that?

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1 A. That is the Rx inventory control girl.
2 Q. And -- and what does that mean?
3 A. She would -- for us in the cage, it would
4 mean she is the girl that we would go to if we had any
5 problems as far as, like, the quantity, that some --
6 that one of the stores ordered, we would go to her, if
7 we had an out, we would go to her.
8 Q. Well, did she -- was she also a picker?
9 A. No.
10 Q. No.
11 Would -- did she do -- check the totes?
12 A. No.
13 Q. So she -- was she in the cage?
14 A. No.
15 Q. No.
16 Was she ever in the cage with you?
17 A. She would come in the cage and get our
18 orders if we had an issue, she would come in the cage
19 and get those orders and then leave.
20 Q. So if -- if you saw an order that you
21 thought was problematic, you would notify Sherri and
22 she'd come in and -- and grab that order?
23 A. Yes. We would either call Sherri and we
24 would meet her or she would come in the cage and get

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1 it or we would call our supervisor.
2 Q. All right. But -- but from '06 to '14,
3 you never remember her as a picker or a packer?
4 A. No.
5 Q. How often in 2000 -- what was -- was
6 Sherri there from 2006 to 2014?
7 A. Yes.
8 Q. And was she serving that role of Rx
9 inventory control?
10 A. Yes.
11 Q. How often in 2006 would you call her about
12 an order?
13 MR. HYNES: Objection to form.
14 BY THE WITNESS:
15 A. I don't know.
16 BY MR. GOETZ:
17 Q. Was it daily, weekly, monthly?
18 A. I don't --
19 MR. HYNES: Objection, asked and answered.
20 Go ahead.
21 BY THE WITNESS:
22 A. I don't remember.
23 BY MR. GOETZ:
24 Q. You have no idea?

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1 A. No.
2 Q. Do you know what she would do with an
3 order in 2006 that you called her about?
4 MR. HYNES: Objection to form.
5 BY THE WITNESS:
6 A. If we called her to come in and get an
7 order, she would go either call the store or talk to
8 the supervisor.
9 BY MR. GOETZ:
10 Q. What supervisor?
11 A. The Rx supervisor.
12 Q. And who was that?
13 A. At 2006, I don't remember.
14 Q. Okay. And -- and what would that person
15 do?
16 A. I don't --
17 Q. Do you know what -- what -- what the Rx
18 supervisor would do?
19 A. I don't know.
20 Q. All right. You -- you know Sherri Hinkle
21 would call the store?
22 MR. HYNES: Objection to form.
23 BY MR. GOETZ:
24 Q. Is that what you just testified to?

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1 A. Yes, she would either talk to the
2 supervisor or call the -- call the store herself.
3 Q. And do you know if they did anything else?
4 A. No.
5 Q. Would she come back to you and tell you
6 whether or not the order was okay?
7 A. Yes, she would come back or the Rx
8 supervisor would come back and tell us what to do with
9 it.
10 Q. Whether or not you could pick the order?
11 A. Yes.
12 Q. And whether or not you could pack the
13 order?
14 A. Yes.
15 Q. Would that usually be in the same day?
16 A. Oh, yes.
17 Q. And how long would that take them to come
18 back and tell you?
19 MR. HYNES: Objection to form.
20 BY THE WITNESS:
21 A. I don't know. I think it just depended on
22 how long the store would take, I -- or how long it
23 would take for her to get ahold of the supervisor or
24 if she called the store. It just depended.

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1 BY MR. GOETZ:
2 Q. Is it your understanding that either she
3 or the supervisor, they would call the store to
4 determine whether or not they could ship it?
5 MR. HYNES: Objection to form.
6 BY THE WITNESS:
7 A. I don't know.
8 BY MR. GOETZ:
9 Q. Do you know of anything else they did?
10 A. No.
11 Q. Would they call the -- do you know what
12 "fat finger" is?
13 A. No.
14 Q. Have you heard the term "fat finger"?
15 A. No.
16 Q. Never?
17 A. No.
18 Q. In 2006, what were the names of the people
19 in the cage?
20 A. I don't know.
21 Q. What about in 2007?
22 A. I don't know.
23 Q. What about in 2008?
24 A. I don't know.

<p style="text-align: right;">Page 46</p> <p>1 Q. What about in 2010?</p> <p>2 A. I don't know.</p> <p>3 Q. 2011?</p> <p>4 A. I don't know.</p> <p>5 Q. You can't -- you don't remember anybody's</p> <p>6 name.</p> <p>7 What about in 2012?</p> <p>8 A. Lori Huddleston. Lori Huddleston.</p> <p>9 Q. In 2012?</p> <p>10 A. Yes.</p> <p>11 Q. What did Lori do?</p> <p>12 A. She either packed or picked the orders</p> <p>13 like I did.</p> <p>14 Q. Is -- is the -- the packer the person</p> <p>15 that -- that sits at that table and checks the order</p> <p>16 and then packs it, is that what a packer is?</p> <p>17 A. Yes. We stand at the table and...</p> <p>18 Q. And the picker is the one that actually</p> <p>19 goes to the picking racks and fills the tote and then</p> <p>20 brings it to the checker?</p> <p>21 A. Yes.</p> <p>22 Q. What about in 2013, do you remember</p> <p>23 anybody in the cage?</p> <p>24 A. Lori Huddleston.</p>	<p style="text-align: right;">Page 48</p> <p>1 Q. What about 2009?</p> <p>2 A. I don't know.</p> <p>3 Q. What about 2010?</p> <p>4 A. I don't know.</p> <p>5 Q. What about in 2011?</p> <p>6 A. I don't know.</p> <p>7 Q. What about 2012?</p> <p>8 A. I don't know.</p> <p>9 Q. 2000 -- 2013?</p> <p>10 A. I don't know.</p> <p>11 Q. 2014?</p> <p>12 A. I don't know.</p> <p>13 Q. Do you remember how many you picked in</p> <p>14 2018, you were just there six months ago, do you</p> <p>15 remember how many orders per day you'd pick?</p> <p>16 A. No, I don't.</p> <p>17 Q. Do you remember how many products would be</p> <p>18 in each order?</p> <p>19 A. No.</p> <p>20 Q. There could be over a hundred products in</p> <p>21 each order, correct?</p> <p>22 MR. HYNES: Objection to form.</p> <p>23 BY THE WITNESS:</p> <p>24 A. I don't know.</p>
<p style="text-align: right;">Page 47</p> <p>1 Q. Anybody else?</p> <p>2 A. I don't remember.</p> <p>3 Q. What about in 2014?</p> <p>4 A. Lori Huddleston.</p> <p>5 Q. Anybody else?</p> <p>6 A. I don't remember.</p> <p>7 Q. How many orders per day would you pick in</p> <p>8 2006?</p> <p>9 MR. HYNES: Objection to form.</p> <p>10 BY THE WITNESS:</p> <p>11 A. I don't remember.</p> <p>12 BY MR. GOETZ:</p> <p>13 Q. What a -- so, in 2000 -- between 2018 and</p> <p>14 2006, did the number of orders you picked per day</p> <p>15 change?</p> <p>16 MR. HYNES: Objection to form.</p> <p>17 BY THE WITNESS:</p> <p>18 A. I don't remember.</p> <p>19 BY MR. GOETZ:</p> <p>20 Q. All right. How many orders per day would</p> <p>21 you pick in 2007?</p> <p>22 A. I don't know.</p> <p>23 Q. What about 2008?</p> <p>24 A. I don't know.</p>	<p style="text-align: right;">Page 49</p> <p>1 BY MR. GOETZ:</p> <p>2 Q. Well, you would start -- you would -- you</p> <p>3 would pick a store to pick and you would walk all</p> <p>4 around the picking rack picking all of the products</p> <p>5 that that store had ordered and -- and fill the tote,</p> <p>6 correct?</p> <p>7 MR. HYNES: Objection to form.</p> <p>8 BY THE WITNESS:</p> <p>9 A. Yes.</p> <p>10 BY MR. GOETZ:</p> <p>11 Q. And -- and there has been testimony that</p> <p>12 that could exceed a hundred.</p> <p>13 Do you have a reason to dispute that?</p> <p>14 MR. HYNES: Objection to form, lack of</p> <p>15 foundation.</p> <p>16 BY THE WITNESS:</p> <p>17 A. I don't know.</p> <p>18 BY MR. GOETZ:</p> <p>19 Q. So do you -- in 2006 do you know how many</p> <p>20 products were in a typical order?</p> <p>21 A. No.</p> <p>22 Q. What about in 2007?</p> <p>23 A. No.</p> <p>24 Q. 2008?</p>

<p style="text-align: right;">Page 50</p> <p>1 A. No.</p> <p>2 Q. 2009?</p> <p>3 A. No.</p> <p>4 Q. 2010?</p> <p>5 A. No.</p> <p>6 Q. 2011?</p> <p>7 A. No.</p> <p>8 Q. 2012?</p> <p>9 A. No.</p> <p>10 Q. 2013?</p> <p>11 A. No.</p> <p>12 Q. 2014?</p> <p>13 A. No.</p> <p>14 Q. Ms. Wilson, I -- I really do appreciate</p> <p>15 you being here, and -- and so please don't take this</p> <p>16 as disrespectful, and I know you've had a really hard</p> <p>17 week. We are trying to figure out what the pickers</p> <p>18 and packers did as it relates to suspicious order</p> <p>19 monitoring, and so I'm curious if -- if there would be</p> <p>20 anybody that would actually have, if you know, anybody</p> <p>21 that -- from 2006 to '14 would actually have a -- a</p> <p>22 better memory of what was happening --</p> <p>23 MR. HYNES: Objection.</p> <p>24 BY MR. GOETZ:</p>	<p style="text-align: right;">Page 52</p> <p>1 A. Five.</p> <p>2 Q. And -- and how many hours per day?</p> <p>3 A. Eight hours.</p> <p>4 Q. And was that pretty much consistent from</p> <p>5 2006 to 2014?</p> <p>6 A. Yes.</p> <p>7 Q. And you would be judged in the cage on</p> <p>8 accuracy?</p> <p>9 A. Yes.</p> <p>10 Q. What else would you be judged on in the</p> <p>11 cage?</p> <p>12 A. Your quality.</p> <p>13 Q. Which is what? How is that different than</p> <p>14 accuracy?</p> <p>15 A. Yeah, well, I guess it's the same thing.</p> <p>16 It would -- yeah. Accuracy -- I'm -- yeah. It's the</p> <p>17 same thing.</p> <p>18 Q. Would you be judged on anything other than</p> <p>19 accuracy?</p> <p>20 A. No.</p> <p>21 Q. No.</p> <p>22 There were multiple cameras in the cage?</p> <p>23 A. Yes.</p> <p>24 Q. You were reprimanded because of excessive</p>
<p style="text-align: right;">Page 51</p> <p>1 Q. -- at that time.</p> <p>2 A. I don't know.</p> <p>3 Q. Okay. Did you speak to anybody other than</p> <p>4 your counsel about today's testimony?</p> <p>5 A. No.</p> <p>6 MR. HYNES: Objection to form.</p> <p>7 BY MR. GOETZ:</p> <p>8 Q. You didn't talk to your spouse?</p> <p>9 A. No.</p> <p>10 Q. You didn't talk to anybody at work about</p> <p>11 this testimony?</p> <p>12 A. No.</p> <p>13 Q. Did -- did you prepare for today's</p> <p>14 testimony?</p> <p>15 A. Just talked to him.</p> <p>16 Q. And -- and how long did you talk to him?</p> <p>17 A. A couple of hours yesterday and a couple</p> <p>18 of hours today.</p> <p>19 Q. And -- and any -- any other time?</p> <p>20 A. No.</p> <p>21 Q. Did you review documents?</p> <p>22 A. No.</p> <p>23 Q. How many days per week would you work in</p> <p>24 2006?</p>	<p style="text-align: right;">Page 53</p> <p>1 talking and goofing around in the cage.</p> <p>2 Do you remember that?</p> <p>3 MR. HYNES: Objection to form.</p> <p>4 BY THE WITNESS:</p> <p>5 A. Yes.</p> <p>6 BY MR. GOETZ:</p> <p>7 Q. And what was that about?</p> <p>8 MR. HYNES: Objection to form.</p> <p>9 BY THE WITNESS:</p> <p>10 A. I don't remember the conversation, but Deb</p> <p>11 Foster and I, we would talk quite a bit in there.</p> <p>12 They caught us one time in there talking and...</p> <p>13 BY MR. GOETZ:</p> <p>14 Q. And who is Deb Foster?</p> <p>15 A. She used to be in the cage. I'm not sure</p> <p>16 what year she was in the cage, but she -- Deborah</p> <p>17 Foster also worked in the cage.</p> <p>18 Q. Do you know when Deborah Foster left the</p> <p>19 cage?</p> <p>20 A. She retired in 2018.</p> <p>21 Q. Do you know where Deborah Foster lives?</p> <p>22 A. I have a general idea. I don't know the</p> <p>23 exact address.</p> <p>24 Q. Can you give me the city?</p>

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1 A. Indianapolis.
2 Q. Do you have an estimate how long you were
3 in the cage with Deborah Foster?
4 MR. HYNES: Objection to form.
5 BY THE WITNESS:
6 A. I don't -- I don't remember. I don't
7 know.
8 BY MR. GOETZ:
9 Q. Was Ms. Foster reprimanded as well?
10 MR. HYNES: Objection to form.
11 BY THE WITNESS:
12 A. I don't know.
13 BY MR. GOETZ:
14 Q. Between 2006 and 2018, did the activity of
15 the cage change, in other words, if we were to see a
16 video today of what the cage looks like, would that be
17 pretty similar to what it looked like in 2006?
18 MR. HYNES: Objection to form.
19 BY THE WITNESS:
20 A. You want to know if the cage looks like it
21 did now -- from 2006 to now?
22 BY MR. GOETZ:
23 Q. No, ma'am.
24 So you just left the cage?

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1 A. Yes.
2 Q. Six months ago, correct?
3 A. Yes.
4 Q. If we were to see a video of what that
5 cage looked like six months ago, the activity, because
6 they were recording it, the activity of what the cage
7 looked like, the speed with which you had to pick,
8 would -- would that -- would that be similar to what
9 we would see if we had video from 2006?
10 MR. HYNES: Objection to form.
11 BY THE WITNESS:
12 A. I don't know.
13 BY MR. GOETZ:
14 Q. Your job stayed pretty much the same,
15 correct?
16 A. Yes.
17 Q. Okay. The speed with which you picked
18 stayed pretty much the same, correct?
19 A. Yes.
20 Q. It is not as though it would be as though
21 I'm looking at vastly different environments or
22 technology being used, correct?
23 MR. HYNES: Objection to form.
24 BY THE WITNESS:

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1 A. We have computers now that we used now.
2 We didn't -- we didn't use those in 2006.
3 BY MR. GOETZ:
4 Q. What do those computers do?
5 A. You -- they have a scanner and a computer
6 screen and a printer and you scan the order and it --
7 on the computer screen it pops up everything that you
8 have in that order and you scan every bottle. And so
9 after you scan it, you put it in the tote and the
10 computer will tell -- and it -- once you scan it, it
11 will say, Okay, you scanned one, and then you go to
12 another one and you scan one and until you get a
13 pert -- your -- it should be a perfect screen on that
14 screen. Your order should be perfect, everything that
15 that order says you should have.
16 Q. It counts down?
17 A. Yes.
18 Q. It counts down.
19 A. It counts down.
20 Q. Okay. And so before when you would pick,
21 would you -- would you check it off by -- on a piece
22 of paper?
23 A. No. You would take the order and you
24 would manually, you would take it, you would take your

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1 finger, and, okay, I need two of these and so you
2 throw it in there.
3 Q. Okay.
4 A. You know, it's manually.
5 Q. And -- and now you just scan it and it --
6 it takes it off and says to you, Ms. Wilson, you need
7 to go pick this next and it --
8 A. Yeah.
9 Q. But other than that, it -- it looks pretty
10 comparable, correct?
11 A. Yes.
12 MR. HYNES: Objection to form.
13 BY MR. GOETZ:
14 Q. When you were looking for -- strike that.
15 MR. GOETZ: May I have -- can you put up
16 Exhibit 6.
17 I only have one copy of this and it was
18 marked Exhibit 6 yesterday for Dugger. Okay?
19 MR. HYNES: Okay.
20 MR. GOETZ: I'm just going to ask her a couple
21 of questions about it.
22 MR. HYNES: That's fine. That's fine.
23 This is the same document.
24 Do you want to direct her to a particular

<p style="text-align: right;">Page 58</p> <p>1 page or --</p> <p>2 BY MR. GOETZ:</p> <p>3 Q. Well, I just -- first, could you go to</p> <p>4 the -- I've handed you what's been marked as Exhibit 6</p> <p>5 for Dugger. We --</p> <p>6 Do you know Terrence Dugger?</p> <p>7 A. Yes.</p> <p>8 Q. And you worked with him?</p> <p>9 A. I knew him.</p> <p>10 Q. Did --</p> <p>11 A. I didn't have very much contact with him.</p> <p>12 Q. Okay. Could you turn to 88957, the next</p> <p>13 page.</p> <p>14 Do you recognize that document?</p> <p>15 A. No, I don't.</p> <p>16 Q. Have -- have you ever seen the CVS</p> <p>17 Distribution Center Standard Operating Procedures</p> <p>18 Manual?</p> <p>19 A. No.</p> <p>20 Q. Were you never given a copy of this?</p> <p>21 MR. HYNES: Objection; asked and answered.</p> <p>22 BY THE WITNESS:</p> <p>23 A. No.</p> <p>24 BY MR. GOETZ:</p>	<p style="text-align: right;">Page 60</p> <p>1 Q. You should not be miserable, all right?</p> <p>2 So --</p> <p>3 A. Okay.</p> <p>4 Q. -- even if a question is pending and</p> <p>5 your -- your eyes are hurting, let me know, okay.</p> <p>6 A. Okay.</p> <p>7 Q. I don't want to know what you talked about</p> <p>8 with Mr. Hynes, but do you have an understanding of --</p> <p>9 of why you are here testifying today?</p> <p>10 A. Yes.</p> <p>11 Q. All right. And what is that</p> <p>12 understanding, and I don't want to know what Mr. Hynes</p> <p>13 told you, but generally what is that understanding?</p> <p>14 A. You just want to know what I did or do in</p> <p>15 the cage, the -- the order -- the process of ordering</p> <p>16 and the process of scanning and who I go to if I was</p> <p>17 to have a problem with some of the orders, if I see</p> <p>18 something is too big, who I go to.</p> <p>19 Q. Okay. And you -- you said if an order is</p> <p>20 too big.</p> <p>21 Is -- is that when you would go to</p> <p>22 somebody? Is that when you'd go to Ms. --</p> <p>23 A. Yes --</p> <p>24 Q. -- Hinkle?</p>
<p style="text-align: right;">Page 59</p> <p>1 Q. Could you turn to -- do you see the front</p> <p>2 page of this, it says "Revision Date, 8/25/10."</p> <p>3 Do you see that?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. Could you turn to 88996.</p> <p>6 THE WITNESS: Yeah, I got makeup in my eye.</p> <p>7 MR. HYNES: Do you want to take a break?</p> <p>8 MR. GOETZ: Do you want to take a break?</p> <p>9 THE WITNESS: Yes.</p> <p>10 MR. HYNES: She has something in her eye. Let's</p> <p>11 take a quick break. I'm sorry, Dan.</p> <p>12 MR. GOETZ: That's all right.</p> <p>13 THE VIDEOGRAPHER: We are off the record at</p> <p>14 5:29 p.m.</p> <p>15 (WHEREUPON, a recess was had</p> <p>16 from 5:29 to 5:39 p.m.)</p> <p>17 THE VIDEOGRAPHER: We are back on the record at</p> <p>18 5:39 p.m.</p> <p>19 BY MR. GOETZ:</p> <p>20 Q. Are you better?</p> <p>21 A. I think so.</p> <p>22 Q. If you need to take a break at any time,</p> <p>23 let me know, okay?</p> <p>24 A. Okay.</p>	<p style="text-align: right;">Page 61</p> <p>1 A. -- Sherri Hinkle.</p> <p>2 Q. Any other circumstances when you would go</p> <p>3 to somebody?</p> <p>4 A. No.</p> <p>5 MR. HYNES: Objection to form.</p> <p>6 BY MR. GOETZ:</p> <p>7 Q. How would you judge if an order was too</p> <p>8 big?</p> <p>9 MR. HYNES: Objection to form.</p> <p>10 BY MR. GOETZ:</p> <p>11 Q. Let me ask you a question because this is</p> <p>12 actually important.</p> <p>13 You said that you would go to Ms. Hinkle</p> <p>14 if an order was too big, correct?</p> <p>15 A. Yes.</p> <p>16 Q. You would alert her?</p> <p>17 A. Yes.</p> <p>18 Q. So you would have to make that judgment,</p> <p>19 correct?</p> <p>20 A. Yes.</p> <p>21 Q. How would you make that judgment?</p> <p>22 MR. HYNES: Objection to form.</p> <p>23 BY THE WITNESS:</p> <p>24 A. When you're in there day in and day out</p>

<p style="text-align: right;">Page 62</p> <p>1 you just know when an order is too big. 2 BY MR. GOETZ: 3 Q. Mr. Milikan testified it was a gut 4 feeling? 5 A. Yes. 6 MR. HYNES: Objection. 7 BY MR. GOETZ: 8 Q. Would you agree it's a gut feeling? 9 A. Yes. 10 Q. Okay. And I appreciate that, but 11 unfortunately we are going to have to explain to 12 experts and a jury what that means. 13 So what does that mean, that gut feeling? 14 MR. HYNES: Objection to form. 15 BY THE WITNESS: 16 A. You just know after you're in there day in 17 and day out what's a big number. Like if they are 18 ordering, like, five, five, five and then all of a 19 sudden there is 150, that's a red flag. 20 BY MR. GOETZ: 21 Q. When you say "they are ordering" -- 22 A. The -- 23 Q. -- "five, five, five"? 24 A. On the pick document, if it says --</p>	<p style="text-align: right;">Page 64</p> <p>1 BY MR. GOETZ: 2 Q. And that was in 1996? 3 A. Yes. 4 Q. And did you live by that rule for the -- 5 for the remainder of your time there? 6 A. Yes. 7 Q. Okay. And so what does 12 little hydros 8 mean? I'm not sure. Are we talking, when we say 9 "little," are you talking about the size? 10 A. Yes, the size of the bottle. 11 Q. Okay. So we are not talking about the 12 dosage units? 13 A. No. 14 MR. HYNES: Objection to form. 15 BY MR. GOETZ: 16 Q. Are you aware that hydrocodone came in 17 different dosage units? 18 A. Yes. 19 Q. All right. What were the dosage units 20 that -- that were available in 2014? 21 MR. HYNES: Objection to form. 22 BY THE WITNESS: 23 A. I don't -- I don't know. 24 BY MR. GOETZ:</p>
<p style="text-align: right;">Page 63</p> <p>1 every -- every item in that cage they want five and 2 then all of a sudden it shoots up to, like, 150, that 3 would be a red flag. 4 Q. Okay. So if -- if they want five 5 Amoxicillin and then 150 hydro, that's a problem. 6 Is that what I'm hearing you say? 7 A. Amoxicillin is not in the cage. 8 Q. So what is in the cage? You talked about 9 testosterone. 10 A. Testosterone. 11 Q. If they want five units of -- of 12 testosterone and 150 of hydro, that to you is a sign 13 there is a problem? 14 A. Yes. 15 Q. What else is a sign that there is a 16 problem? 17 MR. HYNES: Objection to form. 18 BY THE WITNESS: 19 A. Charlotte Rucker, when she trained me, she 20 said as -- we have three different size bottles of 21 hydrocodone in the cage. She said, As a rule you send 22 out 12 -- no more than 12 of the little ones, six of 23 the big ones and two to three of the bigger -- the 24 large size ones as a rule across the board.</p>	<p style="text-align: right;">Page 65</p> <p>1 Q. What about in 2013? 2 A. I don't know. 3 MR. HYNES: Same objection. 4 BY MR. GOETZ: 5 Q. What about in 2012? 6 MR. HYNES: Same objection. 7 BY THE WITNESS: 8 A. I don't know. 9 BY MR. GOETZ: 10 Q. What about in 2011? 11 MR. HYNES: Same objection. 12 BY THE WITNESS: 13 A. I don't know. 14 BY MR. GOETZ: 15 Q. What about in 2010? 16 MR. HYNES: Same objection. 17 BY THE WITNESS: 18 A. I don't know. 19 BY MR. GOETZ: 20 Q. What about in 2009? 21 MR. HYNES: Same objection. 22 BY THE WITNESS: 23 A. I don't know. 24 BY MR. GOETZ:</p>

<p style="text-align: right;">Page 66</p> <p>1 Q. What about in 2008?</p> <p>2 MR. HYNES: Same objection.</p> <p>3 BY THE WITNESS:</p> <p>4 A. I don't know.</p> <p>5 BY MR. GOETZ:</p> <p>6 Q. 2007?</p> <p>7 MR. HYNES: Same objection.</p> <p>8 BY THE WITNESS:</p> <p>9 A. I don't know.</p> <p>10 BY MR. GOETZ:</p> <p>11 Q. 2006?</p> <p>12 MR. HYNES: Same objection.</p> <p>13 BY THE WITNESS:</p> <p>14 A. I don't know.</p> <p>15 BY MR. GOETZ:</p> <p>16 Q. Are you aware -- I understand you don't</p> <p>17 understand the different dosage units.</p> <p>18 Are you aware of how many different doses</p> <p>19 were available?</p> <p>20 MR. HYNES: Objection to form.</p> <p>21 BY THE WITNESS:</p> <p>22 A. I don't know.</p> <p>23 BY MR. GOETZ:</p> <p>24 Q. From '06 to '14, do you have any</p>	<p style="text-align: right;">Page 68</p> <p>1 that you were shipping out?</p> <p>2 A. No.</p> <p>3 Q. I could order, under what you followed or</p> <p>4 what CVS told you to follow, I could order a --</p> <p>5 11 bottles of -- of small hydro every -- every week,</p> <p>6 correct, because these are weekly orders that you are</p> <p>7 packing?</p> <p>8 MR. HYNES: Objection to form.</p> <p>9 BY THE WITNESS:</p> <p>10 A. Yes.</p> <p>11 BY MR. GOETZ:</p> <p>12 Q. Are they weekly orders that you were</p> <p>13 packing?</p> <p>14 A. Yes.</p> <p>15 Q. Some stores actually would get orders</p> <p>16 twice a week?</p> <p>17 MR. HYNES: Objection to form.</p> <p>18 BY THE WITNESS:</p> <p>19 A. I don't know.</p> <p>20 BY MR. GOETZ:</p> <p>21 Q. You don't know?</p> <p>22 A. No.</p> <p>23 Q. Do you know if some stores got orders more</p> <p>24 than twice a week?</p>
<p style="text-align: right;">Page 67</p> <p>1 understanding of how many different doses were</p> <p>2 available?</p> <p>3 MR. HYNES: Same objection.</p> <p>4 BY THE WITNESS:</p> <p>5 A. I don't know.</p> <p>6 BY MR. GOETZ:</p> <p>7 Q. And -- and when you said 12 little, 12</p> <p>8 little bottles, how many doses were in a little</p> <p>9 bottle?</p> <p>10 A. I don't know.</p> <p>11 Q. How many doses were in a -- a big bottle?</p> <p>12 A. I don't know.</p> <p>13 Q. How many doses were in a -- a large</p> <p>14 bottle?</p> <p>15 A. I don't know.</p> <p>16 Q. Under your theory you could order 11</p> <p>17 little bottles of hydro all different doses and they</p> <p>18 would be okay, correct?</p> <p>19 MR. HYNES: Objection to form.</p> <p>20 BY THE WITNESS:</p> <p>21 A. Yes.</p> <p>22 BY MR. GOETZ:</p> <p>23 Q. When you looked for a -- your gut feeling,</p> <p>24 did you ever consider the -- the strength of the drug</p>	<p style="text-align: right;">Page 69</p> <p>1 A. No.</p> <p>2 Q. Do you know what ARCOS is? Have you ever</p> <p>3 heard of ARCOS?</p> <p>4 A. No.</p> <p>5 Q. Okay. Do you know what the data is that</p> <p>6 the DEA maintained?</p> <p>7 A. No.</p> <p>8 Q. Do you know that the DEA maintained data</p> <p>9 of how much that CVS Indiana distribution center was</p> <p>10 shipping?</p> <p>11 A. No.</p> <p>12 Q. Okay. Are you aware that -- that</p> <p>13 sometimes from CVS Indiana distribution center they</p> <p>14 might ship three or four days a week to the same</p> <p>15 store?</p> <p>16 MR. HYNES: Objection to form.</p> <p>17 BY THE WITNESS:</p> <p>18 A. No.</p> <p>19 BY MR. GOETZ:</p> <p>20 Q. So as long as you weren't -- that one day</p> <p>21 didn't exceed 12, they could -- they could get 11</p> <p>22 little bottles of all different doses of hydro, all</p> <p>23 different strengths of hydro every day of the week you</p> <p>24 were open, correct?</p>

<p style="text-align: right;">Page 70</p> <p>1 MR. HYNES: Objection to form.</p> <p>2 BY THE WITNESS:</p> <p>3 A. I don't know.</p> <p>4 BY MR. GOETZ:</p> <p>5 Q. I'm asking you under your system, you --</p> <p>6 you wouldn't flag it, correct?</p> <p>7 A. Right.</p> <p>8 MR. HYNES: Objection to form, asked and</p> <p>9 answered.</p> <p>10 BY MR. GOETZ:</p> <p>11 Q. You wouldn't notify Ms. Hinkle?</p> <p>12 Could you go to --</p> <p>13 THE COURT REPORTER: I'm sorry. I didn't get an</p> <p>14 answer.</p> <p>15 MR. HYNES: Same objection.</p> <p>16 What was the question?</p> <p>17 MR. GOETZ: Could you read back the question?</p> <p>18 (WHEREUPON, the record was read by the</p> <p>19 reporter as requested.)</p> <p>20 THE WITNESS: Yes, yes.</p> <p>21 MR. GOETZ: She said no. I --</p> <p>22 THE COURT REPORTER: I'm sorry. I just</p> <p>23 wasn't -- I didn't get the answer.</p> <p>24 MR. HYNES: She said I don't know.</p>	<p style="text-align: right;">Page 72</p> <p>1 shipped to them a week before, correct?</p> <p>2 A. Correct.</p> <p>3 Q. You are not considering what was shipped</p> <p>4 to them a day before, correct?</p> <p>5 MR. HYNES: Objection to form.</p> <p>6 BY THE WITNESS:</p> <p>7 A. Correct.</p> <p>8 BY MR. GOETZ:</p> <p>9 Q. You're not considering what was shipped to</p> <p>10 them at all before you fill that order, correct?</p> <p>11 MR. HYNES: Objection to form.</p> <p>12 BY THE WITNESS:</p> <p>13 A. Correct.</p> <p>14 BY MR. GOETZ:</p> <p>15 Q. Okay. Do you -- do you know what outside</p> <p>16 vendors are?</p> <p>17 A. No.</p> <p>18 Q. All right. Have you ever heard the term</p> <p>19 "outside vendors"?</p> <p>20 A. No.</p> <p>21 Q. When you were in the cage, is it fair to</p> <p>22 assume you never considered what outside vendors were</p> <p>23 shipping to the stores when -- when you decided</p> <p>24 whether or not an order should be elevated to</p>
<p style="text-align: right;">Page 71</p> <p>1 THE WITNESS: I don't know.</p> <p>2 BY MR. GOETZ:</p> <p>3 Q. Do you -- so, what -- how -- if it didn't</p> <p>4 violate your rule, would you notify Ms. Hinkle?</p> <p>5 A. If it --</p> <p>6 MR. HYNES: Objection to form.</p> <p>7 BY THE WITNESS:</p> <p>8 A. If it did not, no.</p> <p>9 BY MR. GOETZ:</p> <p>10 Q. Okay. And we know that under your rule,</p> <p>11 11 little bottles of hydro, and you could have 11 of</p> <p>12 each strength, does not violate your rule, correct?</p> <p>13 MR. HYNES: Objection to form.</p> <p>14 BY THE WITNESS:</p> <p>15 A. Yes.</p> <p>16 BY MR. GOETZ:</p> <p>17 Q. And that is a daily -- that -- that's a --</p> <p>18 you're looking at that order alone when you are making</p> <p>19 that decision, correct?</p> <p>20 MR. HYNES: Objection to form.</p> <p>21 BY THE WITNESS:</p> <p>22 A. Yes.</p> <p>23 BY MR. GOETZ:</p> <p>24 Q. You are not considering what -- what was</p>	<p style="text-align: right;">Page 73</p> <p>1 Ms. Hinkle?</p> <p>2 MR. HYNES: Objection to form.</p> <p>3 BY THE WITNESS:</p> <p>4 A. No.</p> <p>5 BY MR. GOETZ:</p> <p>6 Q. Could you turn to Exhibit 6, please.</p> <p>7 MR. HYNES: Is this the one you handed to us</p> <p>8 before, Dan?</p> <p>9 MR. GOETZ: Yeah, yes.</p> <p>10 MR. HYNES: Is there a page number you want us</p> <p>11 to go to?</p> <p>12 MR. GOETZ: Could you look at 88996, please.</p> <p>13 MR. HYNES: Okay. We are there.</p> <p>14 BY MR. GOETZ:</p> <p>15 Q. And -- and I know that you -- you</p> <p>16 testified earlier you've never seen this document, but</p> <p>17 I -- I just want to ask you a question about it.</p> <p>18 This is a document from August 25th -- I</p> <p>19 might have the date wrong, excuse me.</p> <p>20 This is a document from August 25th, 2010,</p> <p>21 and this section relates to prevention and monitoring</p> <p>22 of controlled drug/suspicious orders.</p> <p>23 Do you see that?</p> <p>24 A. Oh, yes, I see it now.</p>

<p style="text-align: right;">Page 74</p> <p>1 Q. And it says, and I want to read to you the 2 general, it says: 3 "DEA regulations require that all 4 distributors must design a system to monitor, detect 5 and report any suspicious controlled drug orders. 6 Suspicious orders are those involving an extraordinary 7 quantity, an uncommon method of payment or delivery or 8 any other circumstance that may indicate that the 9 controlled drug will be used in violation of the law." 10 Did I read that correctly? 11 A. Yes. 12 Q. And so you understand when you talked 13 about your rule of thumb in the cage that you were -- 14 that related to determining whether or not an order 15 was suspicious? 16 A. Yes. 17 Q. Okay. And so that rule of thumb was your 18 way to determine whether or not the order was of 19 extraordinary quantity, as this says, correct? 20 MR. HYNES: Objection to form. 21 BY THE WITNESS: 22 A. Yes. 23 BY MR. GOETZ: 24 Q. Okay. Your rule of thumb re -- did not at</p>	<p style="text-align: right;">Page 76</p> <p>1 change, you did not change your -- your rule of thumb 2 that you were taught, correct? 3 MR. HYNES: Objection to form. 4 BY THE WITNESS: 5 A. Correct. 6 BY MR. GOETZ: 7 Q. You said two to three large bottles of 8 hydro. 9 How would you decide whether it was two or 10 three? 11 A. I don't remember. I don't know. 12 Q. Did you -- did -- did you train other 13 people in the cage? 14 A. No. Lori, Lori trained those people. 15 Q. Lori Edelstein? 16 A. Huddleston. 17 Q. Huddleston. 18 Did they go by the same rule of thumb? 19 A. I don't know. 20 Q. Did you ever ask Lori what -- who -- how 21 she trained them? 22 A. No. 23 Q. Did you ever ask Lori -- did you ever ask 24 anybody how -- other than from your initial training</p>
<p style="text-align: right;">Page 75</p> <p>1 all relate to whether or not there was an uncommon 2 method of payment, correct? 3 A. Correct. 4 Q. And it didn't relate to any other 5 circumstance that would indi -- indicate whether or 6 not that drug was going to be used in violation of the 7 law, correct? 8 MR. HYNES: Object. Objection to form. 9 BY THE WITNESS: 10 A. Correct. 11 BY MR. GOETZ: 12 Q. It -- have the -- between 2006 and 2014, 13 did the size of the little hydro bottles change? 14 MR. HYNES: Objection to form. 15 BY THE WITNESS: 16 A. I don't remember. 17 BY MR. GOETZ: 18 Q. Did the size of the big hydro bottles 19 change between 2006 and 2014? 20 A. I don't remember. 21 Q. And did the size of the large hydro 22 bottles change? 23 A. I don't remember. 24 Q. And you -- in any event, if they did</p>	<p style="text-align: right;">Page 77</p> <p>1 how you should determine extraordinary quantity? 2 A. No. 3 Q. Nobody at CVS from the time you were 4 trained until 2014 ever told you you were doing it 5 incorrectly, did they? 6 MR. HYNES: Objection to form. 7 BY THE WITNESS: 8 A. No. 9 BY MR. GOETZ: 10 Q. And, in fact, your reviews, other than the 11 reprimand and a few absences, were actually quite 12 good, weren't they? 13 A. Yes. 14 Q. When you would elevate an order to 15 Ms. Hinkle, how often would -- would that order get 16 shipped? And I'm talking about hydrocodone? 17 MR. HYNES: Objection to form. 18 BY THE WITNESS: 19 A. Repeat the question. 20 BY MR. GOETZ: 21 Q. So when you would elevate an order to 22 Ms. Hinkle, you -- you would -- there would be an 23 order that violated your -- your rules, and so you 24 would elevate that order.</p>

<p style="text-align: right;">Page 78</p> <p>1 What percentage of those orders would get 2 shipped? 3 MR. HYNES: Objection to form. 4 BY THE WITNESS: 5 A. I don't remember. 6 BY MR. GOETZ: 7 Q. Do you have any idea? 8 A. No. 9 MR. HYNES: Objection; asked and answered. 10 BY MR. GOETZ: 11 Q. Would you usually be told that -- that it 12 was a pharmacist, that he made a mistake or she made a 13 mistake? 14 MR. HYNES: Objection to form. 15 BY THE WITNESS: 16 A. I don't remember. 17 BY MR. GOETZ: 18 Q. Do you have any idea why -- what you were 19 told about why that order was of extraordinary 20 quantity? 21 MR. HYNES: Objection to form. 22 BY THE WITNESS: 23 A. No. 24 BY MR. GOETZ:</p>	<p style="text-align: right;">Page 80</p> <p>1 BY THE WITNESS: 2 A. No. 3 BY MR. GOETZ: 4 Q. They never trained you to look for orders 5 that -- strike that. 6 I just want to be clear, when -- when you 7 were packing an order, you had no idea about the 8 customers that were going to be purchasing those 9 drugs, did you? 10 MR. HYNES: Objection to form. 11 BY THE WITNESS: 12 A. No. 13 BY MR. GOETZ: 14 Q. You had no idea about the past customers 15 that had purchased those drugs from that pharmacy, did 16 you? 17 MR. HYNES: Same objection. 18 BY THE WITNESS: 19 A. No. 20 BY MR. GOETZ: 21 Q. You had no idea about how those customers 22 were going to pay for that -- those drugs, did you? 23 MR. HYNES: Same objection. 24 BY THE WITNESS:</p>
<p style="text-align: right;">Page 79</p> <p>1 Q. You don't have any memory of ever -- of 2 anything you were ever told? 3 MR. HYNES: Objection to form, asked and 4 answered. 5 BY THE WITNESS: 6 A. No. 7 BY MR. GOETZ: 8 Q. You -- CVS never trained you how to look 9 at the frequency of orders, did they? 10 MR. HYNES: Objection to form. 11 BY THE WITNESS: 12 A. No. 13 BY MR. GOETZ: 14 Q. CVS never trained you to look for orders 15 that might be diverted to anything other than 16 legitimate medical channels, did they? 17 MR. HYNES: Objection to form. 18 BY THE WITNESS: 19 A. No. 20 BY MR. GOETZ: 21 Q. They never trained you to look for orders 22 that might be diverted into other than legitimate -- 23 legitimate scientific channels, did they? 24 MR. HYNES: Objection to form.</p>	<p style="text-align: right;">Page 81</p> <p>1 A. No. 2 BY MR. GOETZ: 3 Q. You had no idea about how far customers 4 came to -- to that pharmacy to purchase those drugs, 5 did you? 6 MR. HYNES: Same objection. 7 BY THE WITNESS: 8 A. No. 9 BY MR. GOETZ: 10 Q. You had no idea about the doctors that 11 prescribed those drugs? 12 MR. HYNES: Same objection. 13 BY THE WITNESS: 14 A. No. 15 BY MR. GOETZ: 16 Q. You had no idea about whether or not those 17 individuals would be purchasing that hydrocodone in -- 18 in combination with other drugs, did you? 19 MR. HYNES: Objection to form. 20 BY THE WITNESS: 21 A. No. 22 BY MR. GOETZ: 23 Q. Have you ever heard of a drug cocktail? 24 MR. HYNES: Objection to form.</p>

<p style="text-align: right;">Page 82</p> <p>1 BY THE WITNESS:</p> <p>2 A. No.</p> <p>3 BY MR. GOETZ:</p> <p>4 Q. CVS never trained you on -- on what</p> <p>5 potentially dangerous drug cocktails were as it</p> <p>6 relates to hydrocodone combination products?</p> <p>7 MR. HYNES: Objection to form.</p> <p>8 BY THE WITNESS:</p> <p>9 A. No.</p> <p>10 BY MR. GOETZ:</p> <p>11 Q. CVS never trained you on that if a</p> <p>12 hydrocodone was being distributed with benzodiazapine</p> <p>13 in a muscle relaxer in extraordinary quantities or in</p> <p>14 large quantities that was indicative of diversion?</p> <p>15 MR. HYNES: Objection to form.</p> <p>16 BY THE WITNESS:</p> <p>17 A. No.</p> <p>18 BY MR. GOETZ:</p> <p>19 Q. You never heard of -- of what they called</p> <p>20 "the drug trinity"?</p> <p>21 MR. HYNES: Objection to form.</p> <p>22 BY THE WITNESS:</p> <p>23 A. No.</p> <p>24 BY MR. GOETZ:</p>	<p style="text-align: right;">Page 84</p> <p>1 Q. In -- in 2013 or '14, did -- were you ever</p> <p>2 informed of any of this?</p> <p>3 A. No.</p> <p>4 MR. HYNES: Objection to form.</p> <p>5 BY MR. GOETZ:</p> <p>6 Q. Have you ever heard of a pill mill? Do</p> <p>7 you know what a pill mill is?</p> <p>8 A. No.</p> <p>9 Q. Are you aware whether or not the CVS</p> <p>10 Indiana distribution center while you were there ever</p> <p>11 reported a suspicious order of hydrocodone combination</p> <p>12 products?</p> <p>13 A. No.</p> <p>14 Q. You are not aware of that?</p> <p>15 A. No.</p> <p>16 MR. GOETZ: Let's take a break.</p> <p>17 MR. HYNES: Okay.</p> <p>18 THE VIDEOGRAPHER: We are off the record at</p> <p>19 5:59 p.m.</p> <p>20 (WHEREUPON, a recess was had</p> <p>21 from 5:59 to 6:07 p.m.)</p> <p>22 THE VIDEOGRAPHER: We are back on the record at</p> <p>23 6:07 p.m.</p> <p>24 BY MR. GOETZ:</p>
<p style="text-align: right;">Page 83</p> <p>1 Q. You have no idea when you are filling that</p> <p>2 prescription about the size of that pharmacy, do you?</p> <p>3 MR. HYNES: Objection to form.</p> <p>4 BY THE WITNESS:</p> <p>5 A. No.</p> <p>6 BY MR. GOETZ:</p> <p>7 Q. You have no idea whether or not that</p> <p>8 pharmacy sits next to a hospital?</p> <p>9 MR. HYNES: Objection to form.</p> <p>10 BY THE WITNESS:</p> <p>11 A. No.</p> <p>12 BY MR. GOETZ:</p> <p>13 Q. You have no idea whether or not that</p> <p>14 pharmacy is in a rural or an urban area?</p> <p>15 MR. HYNES: Objection to form.</p> <p>16 BY THE WITNESS:</p> <p>17 A. No.</p> <p>18 BY MR. GOETZ:</p> <p>19 Q. You have no idea about the theft of that</p> <p>20 pharmacy?</p> <p>21 MR. HYNES: Objection to form.</p> <p>22 BY THE WITNESS:</p> <p>23 A. No.</p> <p>24 BY MR. GOETZ:</p>	<p style="text-align: right;">Page 85</p> <p>1 Q. Ms. Wilson, there are stores that have</p> <p>2 multiple orders in the same day, correct?</p> <p>3 MR. HYNES: Objection to form.</p> <p>4 BY THE WITNESS:</p> <p>5 A. I don't know.</p> <p>6 BY MR. GOETZ:</p> <p>7 Q. Do you -- are you not aware that -- you</p> <p>8 don't ever remember picking two orders for the same</p> <p>9 store?</p> <p>10 A. I don't remember. I don't remember.</p> <p>11 Q. Okay. Is it because you don't think it</p> <p>12 happened or is it because you just -- you are picking</p> <p>13 an order and you are looking at that store and</p> <p>14 following your rule of thumb?</p> <p>15 MR. HYNES: Objection to the form.</p> <p>16 BY THE WITNESS:</p> <p>17 A. They're -- they just are numbers, stores.</p> <p>18 I don't look at the -- I mean, I don't say, Okay, I</p> <p>19 picked 1333 and then -- or just -- they are just</p> <p>20 numbers to me.</p> <p>21 Q. Okay. You went and moved to inventory</p> <p>22 control about six months ago?</p> <p>23 A. Yes.</p> <p>24 Q. And -- and what does that mean in your new</p>

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1 job?

2 A. Inventory control is -- I work actually in

3 the twilight area and that's where -- if boxes get

4 lost somewhere in the warehouse, they bring them to

5 the twilight and then it is my job to find out where

6 they actually go, whether they go to the reserve or to

7 the picking location.

8 Q. So are -- are you in inventory control for

9 the entire distribution center?

10 A. Yes.

11 Q. So it's not -- it's not just related to

12 controlled substances?

13 A. No, I don't work in the Rx anymore.

14 Q. And that distribution center distributes

15 products for the entirety of CVS, the front of the

16 store and the back of the store, correct?

17 A. Yes.

18 Q. So toothpaste, toilet paper, candy bars,

19 all of that?

20 A. Yes.

21 MR. GOETZ: That is all I have. Thank you for

22 your time.

23 THE WITNESS: Thank you.

24 MR. GOETZ: And thank you for coming today.

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1 THE WITNESS: Thank you.

2 MR. HYNES: Thank you.

3 MR. GOETZ: Good luck.

4 THE VIDEOGRAPHER: We are off the record at

5 6:09 p.m. This concludes the videotape deposition of

6 Ellen Wilson.

7 (WHEREUPON, discussion was had

8 off the record.)

9 (WHEREUPON, the following proceedings

10 were had on the stenographic record

11 only:)

12 BY MR. GOETZ:

13 Q. Ms. Wilson, is this the drawing you made?

14 A. Yes.

15 Q. We are going to mark this as Wilson

16 Exhibit 1, okay?

17 A. Yes.

18 (WHEREUPON, a certain document was

19 marked CVS - Wilson Deposition

20 Exhibit No. 1, for identification, as

21 of 01/24/2019.)

22 MR. GOETZ: Okay. Thank you.

23 (Time Noted: 6:10 p.m.)

24 FURTHER DEPONENT SAITH NAUGHT.

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1 REPORTER'S CERTIFICATE

2

3 I, JULIANA F. ZAJICEK, C.S.R. No. 84-2604,

4 a Certified Shorthand Reporter, do hereby certify:

5 That previous to the commencement of the

6 examination of the witness herein, the witness was

7 duly sworn to testify the whole truth concerning the

8 matters herein;

9 That the foregoing deposition transcript

10 was reported stenographically by me, was thereafter

11 reduced to typewriting under my personal direction and

12 constitutes a true record of the testimony given and

13 the proceedings had;

14 That the said deposition was taken before

15 me at the time and place specified;

16 That I am not a relative or employee or

17 attorney or counsel, nor a relative or employee of

18 such attorney or counsel for any of the parties

19 hereto, nor interested directly or indirectly in the

20 outcome of this action.

21 IN WITNESS WHEREOF, I do hereunto set my

22 hand on this 28th day of January, 2019.

23

24 JULIANA F. ZAJICEK, Certified Reporter

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1 DEPOSITION ERRATA SHEET

2

3

4 Case Caption: In Re: National Prescription

5 Opiate Litigation

6

7 DECLARATION UNDER PENALTY OF PERJURY

8

9 I declare under penalty of perjury that I

10 have read the entire transcript of my Deposition taken

11 in the captioned matter or the same has been read to

12 me, and the same is true and accurate, save and except

13 for changes and/or corrections, if any, as indicated

14 by me on the DEPOSITION ERRATA SHEET hereof, with the

15 understanding that I offer these changes as if still

16 under oath.

17

18 ELLEN WILSON

19

20 SUBSCRIBED AND SWORN TO

21 before me this day

22 of , A.D. 20__.

23

24 Notary Public

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24 ELLEN WILSON

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24 ELLEN WILSON